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United States Department of Agriculture

BUREAU OF AGRICULTURAL ECONOMICS

SERVICE AND REGULATORY ANNOUNCEMENTS NO. 131

RULES AND REGULATIONS OF THE SECRETARY OF AGRICULTURE GOVERNING THE INSPECTION AND CERTIFICATION OF DRESSED POULTRY AND DRESSED DOMESTIC RABBITS FOR EXTERNAL CONDITION AND OF DRESSED POULTRY AND DRESSED DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF FOR CONDITION AND WHOLESOMENESS

(Under an act of Congress (46 Stat. 392-427) approved May 27, 1930; revised February, 1931)¹

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C.

By virtue of authority vested in the Secretary of Agriculture by the provision in an act of Congress entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1931, and for other purposes," approved May 27, 1930 (46 Stat. 392-427), authorizing the establishment of an inspection service for perishable farm products, I, R. W. Dunlap, Acting Secretary of Agriculture, do prescribe and promulgate the following rules and regulations governing the inspection and certification of dressed poultry and dressed domestic rabbits for external condition, and of dressed poultry and dressed domestic rabbits and edible products thereof for condition and wholesomeness, to be in force and effect on and after April 1, 1931, and as long as Congress shall provide the necessary authority therefor, unless amended or superseded by rules and regulations hereafter prescribed and promulgated under such authority. These rules and regulations shall supersede the rules and regulations approved by the Secretary of Agriculture January 23, 1928, and amendments thereto.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the city of Washington, this 31st day of March, 1931.

R. W. DUNLAP,
Acting Secretary of Agriculture.

RULES AND REGULATIONS OF THE SECRETARY OF AGRICULTURE GOVERNING THE INSPECTION AND CERTIFICATION OF DRESSED POULTRY AND DRESSED DOMESTIC RABBITS FOR EXTERNAL CONDITION AND OF DRESSED POULTRY AND DRESSED DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF FOR CONDITION AND WHOLESOMENESS

Regulation 1. Definitions

SECTION 1. Words in these regulations in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

SEC. 2, PARAGRAPH 1. For the purpose of these regulations, unless the context otherwise requires, the following terms shall be construed, respectively, to mean:

¹ The regulations which these succeed were issued only in mimeographed form.

PAR. 2. *The act.*—The following provisions of an act of Congress entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1931," approved May 27, 1930 (46 Stat. 392-427), or any future act of Congress conferring like authority: "For enabling the Secretary of Agriculture, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, boards of trade, chambers of commerce, or other associations of business men or trade organizations, and persons or corporations engaged in the production, transportation, marketing, and distribution of farm and food products, whether operating in one or more jurisdictions, to investigate and certify to shippers and other interested parties the class, quality, and/or condition of cotton, tobacco, and fruits and vegetables, poultry, butter, hay, and other perishable farm products, when offered for interstate shipment or when received at such important central markets as the Secretary of Agriculture may from time to time designate, or at points which may be conveniently reached therefrom, under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost of the service rendered: *Provided*, That certificates issued by the authorized agents of the department shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained."

PAR. 3. *Person.*—Individual, association, partnership, or corporation.

PAR. 4. *Secretary.*—Secretary or Acting Secretary of Agriculture of the United States.

PAR. 5. *Bureau.*—Bureau of Agricultural Economics of the United States Department of Agriculture.

PAR. 6. *Inspector.*—Employee of the Department of Agriculture or other person authorized by the Secretary to investigate and certify to shippers and other interested parties the external condition of dressed poultry and/or of dressed domestic rabbits, and/or of dressed poultry and/or of dressed domestic rabbits and edible products thereof for condition and wholesomeness under the act. Inspections for "condition and wholesomeness," involving evisceration, shall be made by an inspector who is a qualified veterinarian.

PAR. 7. *Office of inspection.*—The office of an inspector authorized to inspect dressed poultry and/or dressed domestic rabbits and edible products thereof under the act.

PAR. 8. *Dressed poultry.*—Domestic fowls slaughtered for human food with heads, feet, and viscera intact, and the feathers removed in accordance with commercial practice.

PAR. 9. *Poultry carcass.*—All edible parts of dressed poultry exclusive of by-products.

PAR. 10. *Poultry by-products.*—All edible viscera and parts of dressed poultry other than poultry meat.

PAR. 11. *Poultry food products.*—Any articles of food or any articles which enter into the composition of food which are not prepared poultry carcasses or poultry by-products but which are derived or prepared in whole or in part by a process of manufacture from any edible portion of dressed poultry, if such manufactured portion is all or a considerable and definite portion of the article.

PAR. 12. *Dressed domestic rabbits.*—Domestic rabbits slaughtered for human food with heads, feet, and viscera intact.

PAR. 13. *Domestic rabbit carcass.*—All edible parts of dressed domestic rabbits exclusive of by-products.

PAR. 14. *Domestic rabbit by-products.*—All edible viscera and parts of dressed domestic rabbits other than rabbit meat.

PAR. 15. *Domestic rabbit food products.*—Any articles of food or any articles which enter into the composition of food which are not prepared domestic rabbit carcasses or domestic rabbit by-products, but which are derived or prepared in whole or in part by a process of manufacture from any edible portion of dressed domestic rabbit, if such manufactured portion is all or a considerable and definite portion of the article.

PAR. 16. *Inspection certificate.*—Certificate of the external condition of dressed poultry and/or dressed domestic rabbits or of the condition and wholesomeness of dressed or drawn poultry and/or dressed or drawn domestic rabbits and edible products thereof issued by an inspector under the act.

PAR. 17. *Regulations.*—Rules and regulations of the Secretary governing the inspection and certificates of dressed poultry and/or dressed domestic rabbits under the act.

PAR. 18. *Approved premises.*—Any plant at which inspection is carried on regularly under these regulations.

PAR. 19. *Inspected for external condition.*—That the dressed poultry and/or dressed domestic rabbits have been examined in an uneviscerated state to determine their condition and that only external evidences of condition have been given consideration.

PAR. 20. *Inspected for condition and wholesomeness.*—That the dressed poultry and/or dressed domestic rabbits and edible products thereof have been examined to determine their soundness, wholesomeness, and freedom from disease and that the poultry and/or domestic rabbits have been eviscerated and both external and internal evidences of condition and wholesomeness have been given consideration, or that drawn poultry and/or drawn domestic rabbits and edible products thereof previously inspected and certified for condition and wholesomeness at the time of evisceration, and which have not lost their identity as inspected and certified poultry or domestic rabbits, have been examined to determine their soundness and wholesomeness.

PAR. 21. *Inspected and certified by Bureau of Agricultural Economics, United States Department of Agriculture.*—That the dressed poultry, poultry carcasses, poultry by-products, or poultry food products and/or the dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products have been inspected for condition and wholesomeness and certified under these regulations and that at the time they were inspected and certified they were found to be sound, wholesome, and fit for human food.

PAR. 22. *Inspected and rejected by Bureau of Agricultural Economics, United States Department of Agriculture.*—That the dressed poultry, poultry carcasses, poultry by-products, or poultry food products and/or dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products so indicated are unsound, unhealthful, unwholesome, or otherwise unfit for human food.

PAR. 23. *Held for further examination by Bureau of Agricultural Economics, United States Department of Agriculture.*—That the dressed poultry, poultry carcasses, poultry by-products, or poultry food products and/or dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products so indicated are held for further examination by an inspector to determine their disposal.

PAR. 24. *Inspection mark.*—A mark or statement authorized by these regulations for use in connection with dressed poultry, poultry carcasses, poultry by-products, or poultry food products, or with dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products, or on the container of such indicating that the articles have been "inspected and certified."

PAR. 25. *Immediate container.*—A unit can, pot, tin, or other receptacle or covering in which any edible portion of dressed poultry or dressed domestic rabbit is customarily delivered to consumers.

PAR. 26. *Shipping container.*—The box, bag, barrel, crate, or other receptacle or covering inclosing any edible portion of dressed poultry and/or dressed domestic rabbits, packed in two or more immediate containers.

Regulation 2. Administration

SECTION 1. The chief of bureau is charged with the supervision of the performance of all duties arising in the administration of these regulations.

Regulation 3. Where Service is Offered

SECTION 1, PARAGRAPH 1. Dressed poultry, poultry carcasses, poultry by-products, or poultry food products and/or dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products may be inspected for the purpose of the act at points indicated in paragraphs 2 and 3 of this section whenever an inspector is available and when facilities and conditions are satisfactory for the conduct of the work.

PAR. 2. *Shipping points.*—Inspections may be made wherever dressed poultry, poultry carcasses, poultry by-products, or poultry food products and/or dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products are offered for interstate or export shipment, including factories, warehouses, and other places where these articles are handled or stored.

PAR. 3. *Designated markets.*—Boston, Chicago, New York, Philadelphia, Camden (N. J.), Dover (Del.), Rochester (N. Y.), Mamaroneck (N. Y.), Austin (Minn.), Indianapolis (Ind.), Kansas City (Kans.), Detroit, Three Rivers, and Dundee (Mich.), San Francisco, Los Angeles, Cudahy (Wis.), Marshalltown (Iowa), Seattle (Wash.), and Washington (D. C.) are hereby designated as important central markets. Other important central markets at which inspectors are available will be designated by the Secretary from time to time.

PAR. 4. *Other points.*—Inspections may be made at any point near a designated market under conditions provided in regulation 5 to the extent permitted by the time of inspectors who are available for inspections at such other points.

Regulation 4. Application for Inspection

SECTION 1. *Who may obtain inspection.*—An application for inspection of dressed poultry and/or dressed domestic rabbits for external condition or of dressed or drawn poultry and/or dressed or drawn domestic rabbits and edible products thereof for condition and wholesomeness under the act may be made by any person having a financial interest in the article involved and who will provide facilities for the inspection or by any authorized person in behalf of such applicant.

SEC. 2. *How inspection may be obtained.*—Application for inspection of dressed poultry, poultry carcasses, poultry by-products, or poultry food products and/or dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products may be made in writing or orally, by telephone, telegraph, or otherwise. Such application may be filed in the office of inspection or with any authorized inspector at or nearest the place where the inspection is desired. If made orally, the inspector may require that the application be confirmed in writing. When the inspection involves evisceration or drawn poultry and/or drawn domestic rabbits and edible products thereof previously inspected and certified, application in writing must be filed with the chief of bureau.

SEC. 3. *Form of application.*—Application for inspection of dressed poultry, poultry carcasses, poultry by-products, or poultry food products and/or dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products under these regulations shall be in English, and when required to be in writing shall include such information in regard to the article and to the premises where they are to be inspected as the inspector or the chief of bureau may require.

SEC. 4. *Application rejected.*—Any application may, upon request of the applicant or for any noncompliance with the act or any regulation thereunder, be rejected by the inspector in charge of the office of inspection in which it is filed or by the chief of bureau, and the applicant shall be immediately notified by telegraph or in writing of the reasons for such rejection.

SEC. 5. *Proof of authority.*—Proof of the authority of any person applying for inspection on behalf of another may be required in the discretion of the inspector.

SEC. 6. *Granting of application.*—Applications for inspection involving evisceration or for inspection of drawn poultry and/or drawn domestic rabbits and edible products thereof which have been previously inspected and certified shall be granted only when the facilities available and the methods employed are suitable and adequate, as determined by the inspector or the chief of bureau.

Regulation 5. Inspection

SECTION 1, PARAGRAPH 1. *Forms of inspection.*—Inspection for condition under these regulations may be made of (a) dressed poultry and/or dressed domestic rabbits for external condition without evisceration, and (b) dressed poultry, poultry carcasses, poultry by-products, or poultry food products and/or dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products for condition and wholesomeness which includes evisceration, and (c) drawn poultry and/or drawn domestic rabbits and edible products thereof which have been previously inspected and certified at the time of evisceration and which have not lost their identity as poultry and/or domestic rabbits inspected and certified for condition and wholesomeness.

PAR. 2. *Basis of inspection.*—Inspection for external condition of dressed poultry and/or dressed domestic rabbits or for condition and wholesomeness

of dressed or drawn poultry and/or dressed or drawn domestic rabbits and edible products thereof shall be made under such conditions and in accordance with such methods as may be prescribed or approved by the chief of bureau.

SEC. 2. *Products accessible.*—The applicant shall cause the dressed or drawn poultry and/or dressed or drawn domestic rabbits and edible products thereof for which inspection is requested to be made accessible for inspection and to be so placed as to disclose fully its condition. When inspection involving evisceration and examination for soundness, wholesomeness, and/or freedom from disease is made, each carcass with head, feet, and all viscera intact shall be examined by the inspector: *Provided, however,* That if the feet and shanks of poultry are not to be used in the preparation of any edible product they may be removed at or below the hock joint prior to inspection.

SEC. 3. *Inspector financially interested.*—No inspector shall inspect any dressed poultry, poultry carcasses, poultry by-products, or poultry food products and/or dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products in which he is directly or indirectly financially interested.

SEC. 4. On those days when dressed poultry, poultry carcasses, poultry by-products, or poultry food products inspected under these regulations are canned or otherwise prepared, no other poultry article except commercially dressed, undrawn poultry shall be handled in the approved premises until the canning or other preparation of the inspected articles has been completed. On those days when dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products inspected under these regulations are canned or otherwise prepared, no other rabbit article shall be handled in the approved premises until the canning or other preparation of the inspected articles has been completed.

SEC. 5. Inspection of dressed poultry, poultry carcasses, poultry by-products, or poultry food products and/or dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products which involves evisceration or of drawn poultry and/or drawn domestic rabbits and edible products thereof which have previously been inspected and certified shall be made only on premises which maintain such sanitary conditions as the chief of the bureau may require.

SEC. 6. Inspections shall not be made on premises which violate or fail to comply with any provision of these regulations, or instructions issued by the chief of the bureau.

SEC. 7. Inspectors shall report to the chief of bureau all violations and non-compliances under these regulations of which they have knowledge.

SEC. 8. The inspector or other authorized agent of the Bureau of Agricultural Economics shall be informed when work in the department of any approved premises, where dressed poultry, poultry carcasses, poultry by-products, or poultry food products and/or dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products are inspected or handled, has been concluded for the day and a reasonable time in advance of the day and hour when such work will be resumed.

SEC. 9. All provisions of the regulations of the United States Department of Agriculture governing the meat inspection of the department relating to post-mortem inspection which are applicable to poultry or to domestic rabbits shall be enforced in connection with the inspection of dressed poultry and/or dressed domestic rabbits and edible products thereof for condition and wholesomeness.

SEC. 10. Where inspections involve evisceration, each carcass, after being thoroughly thawed, if frozen, shall be opened and spread apart in such a way as to expose the organs and the body cavities in order to allow proper examination of each part by the inspector.

SEC. 11, PARAGRAPH 1. Each carcass, including all parts and organs thereof, in which any lesion or disease or other condition is found which might render the poultry or domestic rabbit meat or any organ unfit for food, and on which final decision can not be made on first examination, shall be held for further examination by the inspector. The identity of every such carcass, part, or organ thereof shall be maintained until its final examination has been completed and it is either "inspected and certified" or "inspected and rejected."

PAR. 2. Such labels, devices, and methods as may be approved by the chief of bureau may be used for the identification of carcasses, parts, or organs held for further examination.

SEC. 12. Each carcass, including all parts and organs thereof, which is found to be unsound, unwholesome, or otherwise unfit for human food shall be de-

stroyed for human food and shall receive such treatment as will preclude dissemination of disease through consumption by other animals under the supervision of the inspector or other authorized agent of the Bureau of Agricultural Economics.

SEC. 13. Carcasses and all parts and organs thereof found to be sound, healthful, wholesome, and fit for human food shall be certified as provided in these regulations.

Regulation 6. Marking, Branding, and Identifying Dressed Poultry, Poultry Carcasses, Poultry By-products and Poultry Food Products, and/or Dressed Domestic Rabbits, Domestic Rabbit Carcasses, Domestic Rabbit By-products, and Domestic Rabbit Food Products

SECTION 1, PARAGRAPH 1. The inspection mark permitted to be used in connection with dressed poultry, poultry carcasses, poultry by-products, or poultry food products and/or dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products inspected for condition and wholesomeness under these regulations shall be "inspected and certified by Bureau of Agricultural Economics, U. S. Department of Agriculture." The chief of bureau may approve and authorize the use of abbreviations of the inspection mark under these regulations. Such abbreviations shall have the same force and effect as the mark for which they are so authorized to be used.

PAR. 2. No person shall affix or place or cause to be affixed or placed the inspection mark or any abbreviation, copy, or representation thereof to any dressed poultry, poultry carcasses, poultry by-products, or poultry food products, and/or dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products except under the supervision of an inspector or other authorized agent of the Bureau of Agricultural Economics.

PAR. 3. No person shall fill or caused to be filled, in whole or in part, with any poultry carcasses, poultry by-products, or poultry food products, and/or domestic rabbit carcasses, domestic rabbit products, domestic rabbit by-products, or domestic rabbit food products any container bearing or intended to bear the inspection mark or any abbreviation, copy, or representation thereof except under the supervision of an inspector or other authorized agent of the Bureau of Agricultural Economics.

PAR. 4. No person shall affix or place or cause to be affixed or placed the inspection mark or any abbreviation, copy, or representation thereof to or on a container of any dressed poultry, poultry carcasses, poultry by-products, or poultry food products, and/or dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products except under the supervision of an inspector or other authorized agent of the Bureau of Agricultural Economics.

SEC. 2, PAR. 1. When any inspected and certified poultry carcasses, poultry by-products, or poultry food products, and/or domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products are placed or packed within approved premises in any can, pot, tin, or other receptacle constituting an immediate container within the meaning of these regulations which is to bear the inspection mark there shall be attached to such container a trade label, as hereinafter described in these regulations, which shall be distinctive from trade labels used on the same or similar products prepared from noninspected poultry or domestic rabbits: *Provided, however,* That inspected and certified poultry carcasses, poultry by-products, or poultry food products, and/or domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products may be placed or packed in immediate containers which do not and are not to bear trade labels on which the inspection mark appears, but it shall not be represented, advertised, or labeled, either directly or indirectly, as product which has been inspected and certified under these regulations.

PAR. 2. No container which bears or is to bear a trade label on which the inspection mark appears shall be filled in whole or in part with any poultry carcasses, poultry by-products, or poultry food products, and/or domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products which have not been inspected and certified in compliance with these regulations and which are not sound, wholesome, and fit for human food and strictly in accordance with the statements on the label. No such container shall be filled in whole or in part and no trade label shall be affixed except under the super-

vision of an inspector or other authorized agent of the Bureau of Agricultural Economics.

SEC. 3. Trade labels approved by the chief of the bureau shall bear the true name of the article in the container and shall bear in prominent letters and figures of uniform size the phrase, "Inspected and Certified by Bureau of Agricultural Economics, U. S. Department of Agriculture," and also the number, if any, of the approved premises within which the dressed poultry, poultry carcasses, poultry by-products, or poultry food products and/or dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products were inspected when the approved trade label does not bear the name of the firm packing the product and identify the plant in which the product was packed. Labels may also bear any other statement not false or misleading which has been approved by the chief of the bureau. It shall also bear a statement of the quantity of contents, as required by the regulations under the Federal Food and Drugs Act.

SEC. 4, PARAGRAPH 1. No trade label bearing the inspection mark shall be printed for use until printer's final proof has been approved by the chief of bureau.

PAR. 2. Printer's proof of all trade labels bearing the inspection mark which are submitted for approval shall, when the chief of bureau shall so require, be accompanied by a statement showing the kinds and percentages of the ingredients of the product in any container on which it is desired to use the label. Approximate percentages may be given in cases where the percentages of ingredients may vary from time to time, if the limits of variations are stated.

SEC. 5. Approved trade labels shall be used only on products for which they are approved. They shall not be applied to any poultry carcasses, poultry by-products, or poultry food products and/or domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products the container of which bears any statement that is false or misleading.

SEC. 6. Approved trade labels to be affixed to packages of any poultry carcasses, poultry by-products, or poultry food products and/or domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products for foreign commerce may be printed in a foreign language. The inspection mark shall appear thereon in English, but, in addition, may appear, literally translated, in foreign languages.

Regulation 7. Reports, Certificates, and Export Stamps

SECTION 1. Reports of the work of inspection carried on within approved premises shall be forwarded to the bureau by the inspector on such blanks and in such manner as may be specified by the chief of bureau.

SEC. 2. When inspections are made within approved premises the inspectors and other authorized agents of the Bureau of Agricultural Economics engaged in the conduct of this work shall be furnished with accurate information as to all matters needed by them for making their reports.

SEC. 3. Each outside container of any inspected and certified dressed poultry, poultry carcasses, poultry by-products, or poultry food products and/or dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products for export shall be plainly marked in such a way as to properly identify it.

SEC. 4, PARAGRAPH 1. On application of the exporter the inspector is authorized to issue export certificates for shipments of inspected and certified poultry carcasses, poultry by-products, or poultry food products, and/or domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products to any foreign country. These certificates may be in the form required by each particular country, and approved by the chief of bureau, and shall be signed by the inspector who inspected the poultry carcasses, poultry by-products, or poultry food products and/or domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products, or by the supervising inspector, and by any authorized agent of the Bureau of Agricultural Economics who supervised the canning or other preparation of the inspected articles and the labeling of the containers: *Provided, however,* That where poultry carcasses, poultry by-products, or poultry food products and/or domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products have been previously inspected and certified by the Bureau of Agricultural Economics and properly marked as such, and have later been moved to some other location than the

point where they were so inspected, certified, and prepared, an export certificate covering such products may be issued on application of the person or concern in whose possession they are at that time after suitable examination has been made by an inspector or authorized agent of the Bureau of Agricultural Economics, who may sign such export certificate.

PAR. 2. Export certificates shall be issued in serial numbers and in quadruplicate form, with memorandum copy for filing. Each certificate shall show the names of the exporter and the consignee, the destination, the numbers of the stamps, if any, attached to the articles to be exported, the shipping marks, the kind of product, and the weight.

PAR. 3. Only one original export certificate shall be issued for each consignment unless otherwise directed by the chief of bureau.

PAR. 4. The original export certificate shall be delivered to the shipper and shall be used only for the purpose of effecting the transportation and delivery of the consignment.

PAR. 5. The duplicate of the export certificate shall be delivered to the shipper and by him delivered to the agent of the railroad or other carrier which transports the consignment from the United States.

PAR. 6. The triplicate of the export certificate shall be retained by the inspector issuing the same and be forwarded to the chief of the bureau for filing, and the quadruplicate filed in the office of inspection. The memorandum copy shall be delivered to the shipper for filing.

SEC. 5. The inspector shall issue a separate inspection certificate for each lot of dressed poultry or dressed domestic rabbits and edible products thereof inspected by him. The inspection certificate shall show the class or classes of poultry or domestic rabbits, the quantity of each, and all pertinent information concerning the condition and/or wholesomeness of each separate lot examined. The certificate shall also plainly show whether (a) the inspection was for external condition without evisceration, or (b) whether it was for condition and wholesomeness and involved evisceration, or (c) whether it was for condition and wholesomeness subsequent to evisceration. Certificates need not be issued covering drawn poultry or drawn domestic rabbits and edible products thereof which have been previously inspected and certified and the identity of which has not been lost, but such reports covering their inspection shall be rendered as may be required by the chief of bureau.

SEC. 6. Original inspection certificate for dressed poultry or dressed domestic rabbits or edible products thereof inspected for condition and/or wholesomeness shall immediately upon its issuance be delivered or mailed to the applicant or person designated by him.

SEC. 7. *Advance information.*—Upon request of an applicant, all or any part of the contents of an inspection certificate issued on a lot of dressed poultry or dressed domestic rabbits inspected for condition and/or wholesomeness may be telephoned or telegraphed to him at his expense.

SEC. 8. *Filing Certificates.*—One copy of each inspection certificate issued shall be filed in the office of inspection and one copy forwarded to the chief of bureau. They shall be kept on file until other disposal is ordered by the chief of bureau.

Regulation 8. Appeal Inspections

SECTION 1. *When an appeal inspection may be had.*—Whenever the original applicant or other interested party has reason to believe that the condition and/or wholesomeness of a lot of dressed poultry or dressed domestic rabbits on which an inspection certificate has been issued does not conform to the condition stated in such certificate, or whenever he has reason to believe that the action of an inspector in rejecting any poultry or domestic rabbits is unreasonable, he may make application for an appeal inspection, provided the application is made within the same business day and before the identity of the original lot of dressed poultry or dressed domestic rabbits inspected has been lost.

SEC. 2. *How to obtain appeal inspection.*—Application for appeal inspection of dressed or drawn poultry or dressed or drawn domestic rabbits under the act may be made in writing, orally, by telephone, telegraph, or otherwise. If made orally the person receiving the application may require that it be confirmed in writing. Such application shall give the reasons therefor, and the inspection certificate previously issued on the lot, if a certificate has been issued, shall be returned to the person making the appeal inspection if it is in the possession of the applicant.

SEC. 3. *Record of applications for appeal inspection.*—A record showing the date and time of filing such application shall be made by the inspector.

SEC. 4. *When an application for appeal inspection may be withdrawn.*—An application for appeal inspection may be withdrawn by the applicant at any time before the appeal inspection is made, upon payment of any expenses incurred in connection therewith.

SEC. 5. *Inspectors who may pass upon appeal inspection applications.*—Applications for appeal inspections shall be passed upon by inspectors designated for the purpose by the chief of bureau.

SEC. 6. *When an appeal inspection may be refused.*—If it shall appear that the reasons stated in the application for appeal inspection are frivolous or unsubstantial, or the identical poultry or domestic rabbits can not be made accessible for inspection, or the act, these regulations, or any instructions issued thereunder by the chief of bureau have not been complied with, the application may be rejected and the applicant shall be notified immediately in writing of the reason for such rejection, and a statement of such action shall be included in the record of such application by the official making the same.

SEC. 7. *Appeal inspection certificates.*—The inspector making an appeal inspection shall sign and issue an "appeal inspection certificate," referring specifically to all previous inspection and appeal inspection certificates and stating the condition and/or wholesomeness of the dressed poultry, poultry carcasses, poultry by-products, or poultry food products or dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products as found on the last inspection or appeal inspection. In all other respects the provisions of regulation 4 shall apply to such appeal inspection certificates, except that copies of the appeal inspection certificates shall be sent to all interested parties, if known, other than the carriers and to such of them as have been the applicants for any former inspection or appeal inspection.

SEC. 8. *Extension of time.*—Upon satisfactory showing of evidence of fraud, or that on account of distance the time of filing an application for appeal inspection is insufficient, or other good cause, the person to whom the application for appeal inspection is made may permit the filing of such application after the time prescribed therefor in these regulations, and a statement of such action shall be included in the record of such appeal inspection by the official making the same.

SEC. 9. *Certificate superseded shall not represent the condition and/or wholesomeness of dressed poultry or dressed domestic rabbit.*—When an inspection certificate shall have been superseded under these regulations by an appeal inspection certificate, such inspection certificate shall not thereafter represent the condition and/or wholesomeness of the lot of dressed poultry or dressed domestic rabbits and edible products thereof described therein. If the original and all copies of the superseded certificates are not delivered to the person with whom the application for appeal inspection is filed, the officer issuing the appeal inspection certificate shall forward notice of such issuance and of the cancellation of the original certificate to such persons or firms as he considers necessary to prevent fraudulent use of the canceled certificate.

Regulation 9. Licensed Inspectors

SECTION 1, PARAGRAPH 1. *Inspectors may be licensed.*—Persons showing proper qualifications may be licensed by the Secretary of Agriculture as inspectors of dressed or drawn poultry and/or dressed or drawn domestic rabbits and edible products thereof for condition and/or wholesomeness which may be inspected under this act, provided that only qualified veterinarians may make inspections involving evisceration of dressed poultry and/or dressed domestic rabbits and edible products thereof for condition and wholesomeness. All such licenses shall be countersigned by the specialist in charge of the division of dairy and poultry products in the bureau, the specialist in poultry and/or domestic rabbit inspection in that division, or by the supervising inspector under whose direction the licensee is to make inspections.

PAR. 2. *License may be suspended.*—Any such license may be suspended, pending final action by the Secretary of Agriculture, by an official by whom it may be countersigned whenever such official shall deem such action to be for the good of the service. Within seven days after such suspension the licensee may file an appeal in writing to the Secretary of Agriculture, supported by any argument or evidence that he may wish to offer in his behalf.

Regulation 10. Fees and Charges

SECTION 1. *PARAGRAPH 1.* The fees to be collected for each lot of dressed poultry, poultry carcasses, poultry by-products, or poultry food products or dressed domestic rabbits, domestic rabbit carcasses, domestic rabbit by-products, or domestic rabbit food products inspected under these regulations shall be at the rate of \$2 per hour for the time actually required unless otherwise specifically provided by the Secretary, or unless the inspection is made under a cooperative agreement with a State or other agency, when the fees and charges to be collected shall be those provided for under the agreement.

PAR. 2. Fees for appeal inspections shall be three times those for original inspections, except that no fee will be charged when it is found that there was a material error in the inspection from which the appeal was taken.

PAR. 3. Such charges may be made for traveling expenses or other items paid or incurred in connection with an inspection or an appeal inspection made as will actually cover these costs.

SEC. 2. *Payment of fees.*—The fees and/or charges for each inspection or appeal inspection shall be paid by the applicant in accordance with the directions on the fee bill furnished him and in advance if required by the inspector. Fees and charges for inspections and appeal inspections made by salaried inspectors acting exclusively for the Department of Agriculture shall be remitted promptly to the disbursing clerk of the Department of Agriculture. Fees for inspections made by a licensed inspector acting exclusively for the Department of Agriculture, less the percentage thereof which he is allowed by the terms of his contract of employment as compensation for his services, shall be remitted to the disbursing clerk of the Department of Agriculture. Fees for inspections made by an inspector acting under a cooperative agreement with a State or other organization shall be disposed of in accordance with the terms of such agreement. Such portion of the fees collected under a cooperative agreement or such amounts as may be due the United States under it shall be remitted to the disbursing clerk of the Department of Agriculture. The disbursing clerk of the Department of Agriculture will cause to be returned to the person entitled thereto any money remitted in excess of the amount due the United States and to be deposited in the Treasury as miscellaneous receipts all moneys found to be due to the United States. Funds may be transferred from other branches of the Government to the Department of Agriculture to cover the cost of services rendered under the act, and when received may be credited to the fund from which the costs of the service rendered were incurred.

Regulation 11. Fraud

SECTION 1. *Misrepresentation.*—Any willful misrepresentation or any deceptive or fraudulent practice made or committed by an applicant for inspection, or appeal inspection, in connection with the making or filing of an application, or the use of an inspection or appeal inspection certificate issued by an inspector under these regulations, or in the use of trade labels or inspection marks or brands, may be deemed sufficient cause for disbaring such person from any further benefits of the act. In any event the label should bear no statements which are false, misleading, or deceptive. Any such statement would be grounds for the institution of proceedings under the Federal Food and Drugs Act.

Regulation 12. Publications

SECTION 1. Publications under the act and these regulations shall be made in Service and Regulatory Announcements of the Bureau of Agricultural Economics and such other mediums as the chief of bureau may from time to time designate for the purpose.



